

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHAUL LEVY,

Plaintiff,

ORDER

-against-

17 Civ. 4022 (NSR)(JCM)

LAW OFFICES OF J. HENRY NIERMAN, *et al.*,

Defendants.

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On December 8, 2022, the Honorable Nelson S. Román referred this matter to the undersigned to conduct an inquest on damages and attorney's fees. (Docket No. 94). An inquest was held on June 12, 2023. At the end of the hearing, Defendants argued that Plaintiff lacked standing under *TransUnion v. Ramirez*, 141 S. Ct. 2190 (2021). (Hr'g Tr. at 70–72). The Court advised counsel that the matter was referred only for an inquest on damages and attorney's fees, but that they could raise the issue of standing in their post-hearing briefing. (*Id.* at 71).

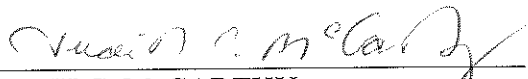
On June 26, 2023, Plaintiff and Defendants filed their proposed findings of fact and conclusions of law. (Docket Nos. 109-1, 110). Defendants' brief raised the issue of standing. (*See* Docket No. 109-1 at 9–13). Plaintiff did not address the issue. The Court gave Plaintiff an opportunity to respond to Defendants' standing argument, (Docket No. 121), which he did on August 2, 2023, (Docket No. 124).

After reviewing the parties' submissions and conferring with the Honorable Nelson S. Román regarding the newly raised standing argument, Defendants are directed to write to Judge Román by August 18, 2023, to seek permission to file a motion to dismiss for lack of standing.

Accordingly, the decision on the inquest is stayed until after a determination regarding standing is made.

Dated: August 10, 2023
White Plains, New York

SO ORDERED:



JUDITH C. McCARTHY
United States Magistrate Judge